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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,526	03/04/2002	Baoquan Zhang	1743	6562

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EXAMINER

CHO, UN C

ART UNIT	PAPER NUMBER
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2687

DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/090,526

Applicant(s)

ZHANG ET AL.

Examiner

Un C Cho

Art Unit

2687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 6 – 9, 14 – 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Verdonk (US 6,330,454 B1) in view of Tuohino et al. (US 6,115,600).

Regarding claim 1, Verdonk discloses a method of locating a mobile station comprising the steps of providing a phone number of the mobile station to a service node (upon initiation of the location determination, the customer server sends a location determination request to a service node including MIN of the

mobile unit, Verdonk, Col. 4, lines 39 – 53 and Col. 5, lines 2 – 20); initiating a call to the mobile station from a service node including the steps of receiving a routing alias from a serving MSC (service node initiates the request to locate the mobile unit and the request includes a route request to indicate that location information is to be returned back to the requester); obtaining cell and sector information of the mobile station during processing of the call; providing the cell and sector information to the service node (Verdonk, Col. 5, lines 21 – 48).

However, Verdonk as applied above does not specifically disclose transmitting an ISUP message to the serving MSC based on the routing alias and identifying the call at the serving MSC as a request to locate the mobile based on the ISUP message. In an analogous art, Tuohino discloses transmitting an ISUP message to the serving MSC based on the routing alias and identifying the call at the serving MSC as a request to locate the mobile based on the ISUP message (Tuohino, Col. 6, line 60 through Col. 7, line 45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Tuohino to the system of Verdonk in order to provide a method for improving the charging criteria based on location of the mobile subscriber (Tuohino, Col. 4, lines 8 – 52).

Regarding claim 2, Verdonk in view of Tuohino as applied to claim 1 above discloses that the service node includes an intelligent peripheral that provides service resource functions such as voice actuated dialing and DTMF, which means that the intelligent peripheral is capable of instructing the user in

making different choices to requesting the phone number of the mobile station to be located and is capable of receiving DTMF tones corresponding to the mobile station phone number (Verdonk, Col. 4, lines 26 – 38).

Regarding claim 6, Verdonk in view of Tuohino as applied to claim 1 above discloses the step of obtaining cell and sector information comprises the steps of paging a mobile station (Verdonk, Col. 5, lines 49 – 51), receiving a response from the mobile, where the response indicates the cell and sector where the mobile station is located and sending a facilities available message containing cell and sector information to a service control point (Verdonk, Col. 5, lines 51 – 59).

Regarding claim 7, Verdonk in view of Tuohino as applied to claim 6 above discloses providing the cell and sector information comprises sending the cell and sector information from the service control point to the service node (the service node includes a service control point (not shown) and either SCP 142 or SN 141 can receive location determination request therefore, it can receive cell and sector information from the service control point to the service node) (Verdonk, Col. 5, lines 2 – 5 and lines 51 – 59).

Regarding claim 8, Verdonk in view of Tuohino as applied to claim 6 above discloses provisioning a Terminating Resources Available trigger (Termination Type parameter, Col. 5, lines 60 – 64), and sending a facilities available message is responsive to the trigger (response according to the paging message, Col. 7, lines 32 – 48).

Regarding claim 9, Verdonk in view of Tuohino as applied to claim 8 above discloses un-provisioning (since the locating operation can retrieve the current or last known location, its operation can be triggered according to the request, Col. 7, lines 20 – 48) the Terminating Resources Available trigger (Termination Type parameter, Col. 5, lines 60 – 64).

Regarding claim 14, Verdonk in view of Tuohino as applied to claim 1 above discloses that the phone number is a MIN (Verdonk, Col. 5, lines 5 – 7).

Regarding claim 15, Verdonk in view of Tuohino as applied to claim 1 above discloses that the phone number is of the form NPA-NXX-XXXX (e.g., (425) 555-2383, Col. 5, lines 5 – 7).

Regarding claim 16, the claim is interpreted and rejected for the same reason as set forth in claim 1.

Regarding claim 17, Verdonk in view of Tuohino as applied to claim 16 above discloses that the network node (service node) is an intelligent peripheral node (Verdonk, Col. 4, lines 26 – 30).

Regarding claim 18, Verdonk in view of Tuohino as applied to claim 16 above discloses that the network node (service node) is a service control point (Verdonk, Col. 4, lines 26 – 30).

Regarding claim 20, the claim is interpreted and rejected for the same reason as set forth in claim 6.

4. Claims 3 – 5, 10 – 13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Verdonk in view of Tuohino as applied to claim 1 above and further in view of Meadows et al. (US 6,716,101).

Regarding claim 3, Verdonk in view of Tuohino as applied to claim 1 above does not specifically disclose the step of providing a phone number of the mobile station is performed by a web-based interface. In an analogous art, Meadows discloses a web-based interface (Fig. 4a) to providing a phone number of the mobile station to be located (Meadows, Col. 5, lines 30 – 47). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Meadows to the system of Verdonk and Tuohino in order to provide a method and system for monitoring the geographical location of a subscriber's mobile cellular telephone and for providing the location information to an authorized user through the world wide web.

Regarding claim 4, Verdonk in view of Tuohino and further in view of Meadows as applied to claim 3 above discloses a web form having a mobile phone number field (Fig. 4a) and submitting the request via the web-based interface (selects to monitor, Col. 5, lines 30 – 47).

Regarding claim 5, Verdonk in view of Tuohino and further in view of Meadows as applied to claim 3 above discloses obtaining user account information (name and phone number), transmitting a web form having a service request object (information screen), receiving an indication that the service

request object was selected (providing visual feedback of selection), querying a database for the mobile phone number field corresponding to the user account information (obtaining the information regarding the selected user) and receiving the phone number of the mobile station in response to the query (Meadows, Col. 5, line 13 through Col. 6, line 9).

Regarding claim 10, Verdonk in view of Tuohino and further in view of Meadows discloses querying a database (look-up table) for a message corresponding to the cell and sector information (location information such as street name, street intersection, county or township, Col. 4, line 61 through Col. 5, line 5) and playing the message to a user (displaying a map to the user according to the information, Col. 5, lines 48 – 51).

Regarding claim 11, Verdonk in view of Tuohino and further in view of Meadows as applied to claim 10 above discloses that the message includes city and state information (street name, street intersection, county or township, Col. 4, line 61 through Col. 5, line 5).

Regarding claim 12, Verdonk in view of Tuohino and further in view of Meadows as applied to claim 3 above discloses querying a database (look-up table) for a graphic image corresponding to the cell and sector information (location information such as street name, street intersection, county or township, Col. 4, line 61 through Col. 5, line 5) and displaying the graphic image (map, Fig. 4b) to a user (Col. 5, lines 48 – 51).

Regarding claim 13, Verdonk in view of Tuohino and further in view of Meadows as applied to claim 3 above discloses authenticating a user (the user entering an access code, Col. 5, lines 38 – 39).

Regarding claim 19, the claim is interpreted and rejected for the same reason as set forth in claim 13.

Response to Arguments

5. Applicant's arguments with respect to claims 1 – 20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of


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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Un C Cho whose telephone number is (571) 272-7919. The examiner can normally be reached on M ~ F 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


SONNY TRINH
PRIMARY EXAMINER

Un C Cho
Examiner
Art Unit 2687

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